

SEP 15 2005

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September 15, 2005

**VIA FACSIMILE**

To: Examiner Christopher S. McCarthy  
Group Art Unit No. 2113  
U.S.P.T.O.

Facsimile No.: (571) 273-8300

From: Scott M. Tulino, Esq.

Facsimile No.: (703) 761-2375

Re: Enclosed Supplemental Amendment Under 37 C.F.R. § 1.116  
U.S. Patent Application Serial No. 09/929,142  
Our Reference: YOR.270

Dear Examiner McCarthy:

Enclosed is a Supplemental Amendment Under 37 C.F.R. § 1.116, which we request that you enter and which should place the above-referenced case in condition for allowance.

Thank you in advance for your kind consideration on this case.

Very truly yours,



Scott M. Tulino, Esq.  
Sean M. McGinn, Esq.

SMT:SMM:lg  
Enclosure

Total No. of Pages Transmitted: 14

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In re Application of**

Richard E. Harper, et al.

**Serial No.:** 09/929,142

**Group Art Unit:** 2113

**Filed:** August 15, 2001

**Examiner:** Christopher S. McCarthy

**For:** METHOD AND SYSTEM FOR REDUCTION OF SERVICE COSTS BY  
DISCRIMINATION BETWEEN SOFTWARE AND HARDWARE INDUCED  
OUTAGES

Honorable Commissioner of Patents  
Alexandria, VA 22313-1450  
Box AF

**SUPPLEMENTAL AMENDMENT UNDER 37 C.F.R. §1.116**

Sir:

In response to the Advisory Action dated August 31, 2005, and further in response to the Office Action dated August 2, 2005, please amend the above-identified application as follows:

**INTRODUCTORY COMMENTS**

**Amendments to the Claims** are reflected in the listing of claims, which begins on page 2 of this paper. No new matter has been added.

**Remarks** begin on page 11 of this paper.